

## **RULE 159 – SENTENCING EXHIBITS AND DOCUMENTS**

**(Adopted \_\_\_\_\_)**

Unless ordered otherwise by the assigned judge, sentencing exhibits and documents shall be submitted as follows:

a) **Motions for Cooperation Departures or Cooperation Variances:** These documents shall be filed with the Court as sealed docket entries and sealed documents three (3) business days prior to the sentencing hearing. They must be accompanied by a motion to seal, which shall specify the duration of sealing in accordance with Local Rule 157.6.

b) **Documents in Support of Motions for Cooperation Departures or Cooperation Variances:** These documents shall be submitted to the U.S. Probation Office which shall, in turn, provide them to the assigned judge three (3) business days prior to the sentencing hearing. The documents shall be returned to the Probation Office after the sentencing hearing.

c) **Sentencing Exhibits:** Courtesy copies of exhibits that will be referenced to or moved into evidence at the sentencing hearing shall be submitted to the Court three (3) business days prior to the sentencing hearing either by e-mail to [newcases.portland@med.uscourts.gov](mailto:newcases.portland@med.uscourts.gov) in PDF format or in hard copy with an index as directed by the assigned judge in the presentence conference order to allow the Court time to review the proposed exhibits. When transmitting courtesy copies of exhibits to the Court, counsel shall include the U.S. Probation Office and opposing counsel in the e-mail. Courtesy copies of exhibits will not be docketed or treated as the official Court exhibit. It is the responsibility of counsel to provide the Court with marked paper exhibits at the sentencing hearing.

In cases in which a presentence conference will not be held, the docket entry reflecting the scheduling of the sentencing hearing shall reflect that courtesy copies of sentencing exhibits to be used at sentencing be submitted to the Court in accordance with this Rule three (3) business days prior to the sentencing hearing.